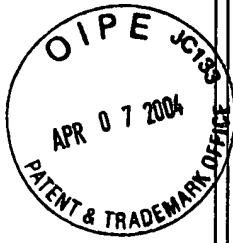


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Image



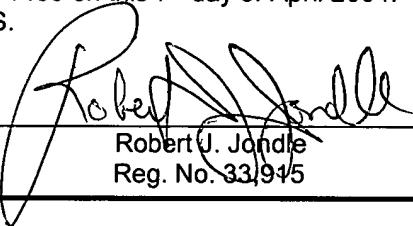
**IN THE
UNITED STATES
PATENT AND TRADEMARK
OFFICE**

<i>Application Number</i>	09/782,255
<i>Filing Date</i>	February 14, 2001
<i>First Named Inventor</i>	Bruce Marvin HELD
<i>Group Art Unit</i>	1636
<i>Examiner Name</i>	Nancy S. Vogel
<i>Attorney Docket Number</i>	N1205-009

Title of the Invention: Promoter and Construct for Plant Transformation

CERTIFICATE OF EXPRESS MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service as Express Mail (post office to addressee) in an envelope addressed to: Commissioner of Patents, PO Box 1450, Alexandria VA 22313-1450 on this 7th day of April 2004. The number of the Express Mail mailing label is EV207752328US.


Robert J. Jondle
Reg. No. 33,945

RESPONSE TO NOTICE OF NON-COMPLIANT AMENDMENT

Commissioner of Patents
P O Box 1450
Alexandria VA 22313-1450

Sir:

In response to the Notice of Non-Compliant Amendment mailed March 31, 2004, please find attached the **Amendments to the Claims** which begins on page 2 of this paper.

Remarks begin on page 3 of this paper.